

Minutes of Meeting
Health Services Council
Project Review Committee-II

DATE: 12 April 2007

TIME: 2:30 PM

LOCATION: Health Policy Forum

ATTENDANCE:

Committee II: Present: Victoria Almeida, Esq., (Vice Chair), Raymond C. Coia, Esq., Wallace Gernt, Catherine E. Graziano, RN, Ph.D., Robert Hamel, Robert J. Quigley, DC, (Chair), Larry Ross

Not Present: Rosemary Booth Gallogly, Maria Gil

Excused Absence: Denise Panichas, Reverend David Shire (Secretary)

Staff: Valentina D. Adamova, Michael K. Dexter, Joseph G. Miller, Esq.

Public: (Attached)

1. Call to Order, Approval of Minutes, Conflict of Interest Forms and Time Extension for the Minutes Availability

The meeting was called to order at 2:30 PM. The Chairman noted that conflict of interest forms are available to any member who may have a conflict. Minutes of the 22 February 2007 meeting were adopted as submitted. The Chairman requested a motion for the extension of time for the availability of minutes pursuant to the Open Meetings Act. A motion was made, seconded and passed by a vote of seven in favor and none opposed (7-0) that the availability of the minutes for this meeting be extended beyond the time frame provided for under the Open Meetings Act. Those members voting in favor: Almeida, Coia, Gernt, Graziano, Hamel, Quigley, Ross.

2. General Order of Business

The first items on the agenda were the applications of Wayland Square Surgical Acquisition L.P. [Wayland Square Surgicare, Inc and Surgery Center Holding Corporation] for a change in effective control of Wayland Square Surgicare, a freestanding ambulatory center at 17 Seekong Street in Providence and Blackstone Valley Surgicare Acquisition L.P. [Blackstone Valley Surgicare, Inc. and Surgery Center Holding Corporation] for a change in effective control of Blackstone Valley Surgicare, a freestanding ambulatory surgery center at 1526 Atwood Avenue in Johnston. Staff reviewed the contents of the mailing and noted the responses to questions and an article regarding the national acquisition of the surgery center unit of

HealthSouth.

Ms. Rocha, legal counsel to the applicant, stated that the proposals are to form partnerships. She stated that there would be no other changes. She noted that partnership units would be sold to physicians. She reviewed the applicants' responses to follow up questions of the Committee.

Ms. Dugan, administrator of Wayland and Blackstone, with regards to the settlement with the Department, stated that a recommendation has been made to the Director of Health to allocate funds to The Providence Community Health Centers, Rhode Island Free Clinic, and Catholic City Community Center. To a question regarding the timing, she said that the checks are being processed. She noted that they have been unable to find entities interested in the equipment.

The applicant stated that they can't make charity care a credentialing requirement but they are committed to charity care. The applicant agreed to accept a condition of approval that they would not turn away patients regardless of their ability to pay.

The applicant noted that another change in ownership application will be filed with regards to acquisition of the surgery unit of HealthSouth. The applicant stated that the instant proposal is necessary because physicians are leaving and the applicant needs to stay competitive and keep the business in Rhode Island.

Staff noted that there is a change order request on hold pending final resolution by the Department on generic charity care policy. Staff stated that the applicant will comply with any such regulations. Staff noted that status quo remains in place regarding the applicant's charity care requirement and the 5% requirement will transfer to the new entity. Staff stated that if the application is approved it would be limited to the change in effective control.

A motion was made, seconded and passed by a vote of five in favor, none opposed, one recusal, and one abstention (5-0-1-1) to recommend that the application of Blackstone Valley Surgicare Acquisition L.P. be approved. Those members voting on favor were: Coia, Gernt, Graziano, Hamel, Ross. Almeida recused. Quigley abstained.

A motion was made, seconded and passed by a vote of five in favor, none opposed, one recusal, and one abstention (5-0-1-1) to recommend that the application of Wayland Square Surgical Acquisition L.P. be approved. Those members voting on favor were: Coia, Gernt, Graziano, Hamel, Ross. Almeida recused. Quigley abstained.

The next item on the agenda was the application of Neighbors Enterprises, Inc. d/b/a Senior Helpers for initial licensure of a Home Care Provider Agency at 75 Main Street in East Greenwich. Staff

noted that the applicant appeared before the Committee previously. Staff noted the applicant's submission of the 5 April 2007 letter and the resume for the proposed nurse.

Mr. Goulet, legal counsel to the applicant, stated that applicant is seeking the home care license to be able to do some very limited personal care and would provide referrals for skilled nursing services. He noted that since the last meeting the applicant instituted a free care policy and revised the proposed Administrator.

The Chairman requested that the letters of references be provided for the proposed Administrator. The Chairman noted his concern about the previous advertisement by the applicant for home care services. The Chairman noted that as a condition of approval the applicant will be required to advertise for services only for which they are licensed. The Committee requested references the proposed Administrator.

A motion was made, seconded and passed by a vote of six in favor, none opposed, and one recusal, (6-0-1) to recommend that the application be approved conditioned upon receipt of the requested information. Those members voting on favor were: Almeida, Coia, Gernt, Graziano, Hamel, Quigley. Ross abstained.

Mr. Gernt requested to include on the agenda for the next Health Services Council as an item for consideration discussion regarding Health Services Council representation on the Community Hospital

Task Force. The motion was seconded and passed to include such an agenda item.

There was no further business the meeting was adjourned at 3:45 PM.

Respectfully submitted,

Valentina D. Adamova